

Remarks/Arguments:

This is a reply to the office action of April 6, 2005.

Claim Rejections – 35 USC 112

The Examiner maintains that the claimed invention is unclear in failing to indicate whether processing of the first mail item has been completed.

The claims provide for certain operations to be performed only subsequent to a determination that the first postage charge remains unused. As such, it is submitted that the claimed invention is entirely clear. However, to emphasize this aspect of the claimed invention, claims 11 and 20 have been amended to define expressly that the first postage charge remains unused when processing of the first mail item has not been completed.

The Examiner also alleges that the claimed invention is unclear in failing to define expressly the criteria which make the first postage indicium suitable for use in relation to the second mail item.

It is submitted that the claims are clear in their present form, insofar as they clearly require that a check is performed to determine whether the first postage indicium is suitable for use in relation to the second mail item. As such, the claimed invention encompasses any method or apparatus which performs such a check, irrespective of the criteria which are being checked. This aspect of the claimed invention resides in the performance of this check, and not the specific criteria which are checked. Furthermore, as the Examiner has noted, there are many variables which could constitute these criteria, and it would be impossible to define an exhaustive list of such variables.

Claim Rejections – 35 USC 103

The Examiner rejects claims 11, 12 and 14 to 20 as being unpatentable over Cordery *et al* (US-5768132), but has indicated that the subject-matter of claim 13 would be allowable if re-written in independent form.

In response to this objection, and in the interests of expediency, claims 12 and 13 have been cancelled, and the subject-matter of claim 13 has been incorporated in both claims 11 and 20.

Other Comments

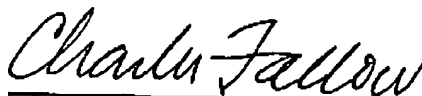
The spelling of the word “indiciu” has been corrected in certain of the claims.

New dependent claims 21 - 24 have been introduced, corresponding to claims 14 - 17.

We believe that the claims of this application are patentable over the prior art of record, and that the application is in proper form for allowance.

A petition for an extension of time accompanies this amendment.

Respectfully submitted,



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